

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

SUITS – Land Acquisition –PJP –GADWAL -Mahabubnagar District – Pebbair (M & V)
O.P.No.24/96 - Sanction of decretal charges of **Rs.8,66,131/-** Orders – Issued.

IRRIGATION & CAD (PW.LA.III.A2) DEPARTMENT

G.O.RT.NO. 241

DATE:03.04.2009

Read:

From the Spl.CS to Govt & CCLA, AP, Hyd.Lr. No.SRP4/1168/2008,
Dt:16.01.09 alongwith the letter of Spl.Collector, Bheema Project, MBNR.

O R D E R:

The Special Chief Secretary to Government and Chief Commissioner of Land Administration, Andhra Pradesh, Hyderabad has informed that the Special Collector, LA, Bheema Project, Mahabubnagar District has submitted the proposals for sanction of final payment of decretal charges in respect of O.P.No.24/96 pertaining to Pebbair (M&V) of Mahabubnagar District. The then Special Dy.Collector, LA, PJP, Gadwal had acquired the land to an extent of Acs.6.00 gts by fixing the land value @Rs.21,000/- for Cat-I and Rs.25,000/- for Cat-II vide Award No.5/1993, dt:06.02.1993 for Flank Quarry purpose from KM 41.500 to KM 42.000 situated in the limits of Pebbair (V &M) of Mahabubnagar District. The awardees have filed their petitions U/s.18 of the L.A.Act. The said petition were referred to the Court of Sr.Civil Judge, Gadwal for adjudication. The Sr.Civil Judge, Wanaparthi had delivered the judgment on 25.08.1999 and enhancing the market value fixed by the LAO from Rs.21,000/- & Rs.25,000/- to Rs.70,000/- & Rs.75,000/- per acre. Aggrieved with market value enhanced by the Lower Court, the SDC, LA, PJP, Gadwal has filed appeals before the Hon'ble H.C of A.P, Hyderabad against the judgment of the Sr.Civil Judge, Gadwal. The Hon'ble H.C of A.P, Hyd has granted interim orders dt:21.04.2000 in respect of A.S.No.554/2000 towards payment of half of the decretal charges. Accordingly, an amount of Rs.5,38,457/- was sanctioned and deposited in the court of Sr.Civil Judge, Wanaparthi on 21.09.2005 in E.P.No.394/2004. The Govt.Pleader for Appeals, H.C.Buildings, Hyd while sending the certified copies of judgment and decree dt:27.11.2006 in A.S.No.554/2000 and batch and informed that the Hon'ble High Court of A.P has dismissed the same relaying judgment and decree on A.S.No.1297/97, dt:26.03.2003.

2) After careful examination of the matter, Government hereby accord sanction for an amount of **Rs.8,66,131/- (Rupees Eight lakhs sixty six thousand one hundred and thirty one only)** in respect of O.P.No.24/96 pertaining to Pebbair (MN&V) of Mahabubnagar District subject to verification whether the reference under section.18 (1) of the L.A.Act is made to the Lower Court after following all the guidelines/directions on the subject and in case it is detected that Sec.18 reference was made contrary to the rules/guidelines issued by the Govt/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the Chief Engineer as to the extent of land acquired. Further, the Special Collector should verify the calculations made by the Land Acquisition Officer once again thoroughly with reference to the decree and instructions issued by the Government/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad on the subject from time to time duly deducting the Income Tax as per rules before depositing the amount in Lower court.

(PTO)

3) The expenditure sanctioned in para (2) above shall be debitable to following Head of Account under "4701- SMJH – 0 1- Major Irrigation – M.H.122 – Jurala Project G.H.11 – NSP – SH (27) – Canals and Distributaries - 530 Major Works – 532 - Lands (charged). In case, the available budget provision is not sufficient to meet the present requirement, the expenditure shall be met initially by way of advance from contingency fund subject to surrendering an equal amount from voted grant.

4) This order issues with the concurrence of Finance (Works&Projects) Department vide their U.O. No.1044/F2(2)/2009-1, dated 26.03.2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITYA NATH DAS
SECRETARY TO GOVERNMENT

To

The Spl. Chief Secretary to Government & CCLA, A.P., Hyderabad.

The Special Collector, LA, Bheema Project, Mahabubnagar.

The Engineer-in-Chief, I&CAD, Erramanzil, Hyderabad.

The SDC, LA, PJP, Gadwal, Mahabubnagar.

The Director of Works Accounts, Hyderabad.

Copy to: P.S. to Minister (M& MI).

Finance (W&P) Department/File C.No.3587/LA.III(A2)/2009

SF/SCs.

//FORWARDED::BY ORDER//

SECTION OFFICER